

IN RE: PETITIONS FOR SPECIAL HEARING \* BEFORE THE  
 AND ZONING VARIANCE \*  
 W/S Reisterstown Rod, 215 ft. S \* ZONING COMMISSIONER  
 of c/l Bond Avenue \*  
 310 Main Street \* OF BALTIMORE COUNTY  
 4th Election District \*  
 3rd Councilmanic District \* Case No. 97-100-SPHA  
 James Eickhoff, et ux, et al  
 Petitioners

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing and Zoning Variance for the property located at 310 Main Street in Reisterstown. The Petitions are filed by James A. and Jane S. Eickhoff, Harold D. and Brenda E. Rowe, Erik and Majorie Ewertz, property owners. Special hearing relief is requested for business parking in a residential zone in accordance with Section 409.8.B. of the Baltimore County Zoning Regulations (BCZR); and to continue an existing nonconforming use to permit the use of Strawberry Alley, 12.3 ft. (+/-) wide as a driveway for two way traffic movements in lieu of the 20 ft. required by Section 409.4.A. Variance relief is also requested from Section 1B01.1.B.1.e(5) of the BCZR to permit a reduction of the RTA 50 ft. buffer and 75 ft. setback to as little as a 0 ft. buffer and 0 ft. setback; and, if required, a variance from Section 409.4.A of the BCZR to permit the use of Strawberry Alley as a driveway for 2 way traffic movements as more fully set forth in the Petition for Special Hearing. All of the requested relief and subject property are more particularly shown on the site plan, received into evidence as Petitioner's Exhibit No. 1.

Appearing and testifying at the requisite public hearing held for this case were Harold D. Rowe and James A. Eickhoff, property owners. Also present was Burton English, Jr., of Farrand and English, Inc., the engineer who prepared the site plan. There were no Protestants or other interested persons present.

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ORDER RECEIVED FOR FILING

Date 10/18/96  
 By [Signature]

Testimony and evidence presented was that the subject site is .313 acres in area, split zoned B.L. and D.R.3.5. The subject property is rectangular in shape, with a narrow width but significant depth. The width of the property is 41.50 ft. and the depth approximately 330 ft. The property fronts Main Street (Reisterstown Road) in the Village of Reisterstown. Presently, the property is improved with a single story building used for medical office buildings. Both Mr. Rowe and Mr. Eickhoff are optometrists and practice their professions from this location.

Testimony presented was that the site has been used for optometrist's offices for many years. The present owners purchased the building and practice from another optometrist who has since retired.

As to the neighborhood, adjacent properties are used for a mix of commercial and residential uses. The adjoining property to the south is used as a book store and also contains a residential apartment. To the immediate north, a two story building is used as a computer service store and also contains residential apartments. Other similar businesses and residential uses are nearby, as are institutional uses (i.e., Reisterstown United Methodist Church).

It was also indicated that presently the site features approximately 8 parking spaces for use by patrons of the business. These parking spaces are located to the rear of the existing structure. In order to provide vehicular access to this parking lot, a narrow driveway or alley runs down the south side of the property. This alley, which is paved, is known as Strawberry Alley and is approximately 12.3 ft. in width. According to documents in the Land Records office, the alley is jointly owned by the Petitioners and Mr. and Mrs. Ewertz, who own the adjacent property at 316 Main Street.

ORDER RECEIVED FOR FILING

Date

10/18/96

By

*M. Rowe*

Zoning relief is requested because the Petitioners contemplate adding a single story addition to the rear of the structure. This addition will be 30 ft. x 30 ft. in dimension and will provide additional office and storage space. Four parking spaces will be lost as a result of the addition, however, eight are being added. A total of 12 spaces will be available once construction is completed. Moreover, Strawberry Alley will be continued along the southern property line to provide vehicular access to the new lot. The alley will be widened to a distance of 20 ft., meeting minimum requirements.

Variance relief from the RTA requirements is requested because of the split zoning of this property and adjacent properties. The front portion of the property where the medical office is located is zoned B.L. However, the rear portion of the property, where part of the lot will be located, is zoned D.R.3.5. The zoning line dividing the property is consistent on adjacent properties and, thus, an R.T.A. is generated from the residentially zoned portion of the adjacent property.

In my judgment, it is clear that a variance should be granted from the R.T.A. buffering/setback requirements. The proposed addition is entirely consistent with the area and uses. In fact, this is an area of Reisterstown which is within the community conservation district and is targeted for street scape improvements by the County. The Petitioners' additional investment in this property and utilization of same is entirely appropriate. In my judgment, variance relief from the R.T.A. requirements should be granted as the Petitioners have complied with the requirements contained within Section 307 of the BCZR.

Variance relief is also requested for that portion of the existing driveway known as Strawberry Alley. As noted above, the alley is only 12.3 ft. in width, less than the 20 ft. required. Clearly the variance

should be granted. The Petitioners cannot increase the width of the driveway due to the narrowness of the lot. Moreover, the traffic which utilizes this driveway is minimal and the existing width is sufficient to accommodate that volume of traffic. For all of these reasons, I believe that variance relief should be granted.

Special hearing relief is also requested to approve business parking in a residential zone. The proposed expansion of the parking lot will bring a portion of same into the D.R.3.5 part of the lot. In that that portion of the lot is currently unimproved, utilization of a portion of same to support the business is appropriate. I find that there will be no detrimental impact to the health, safety or general welfare of neighboring properties or the community at large by the grant of this special hearing. It is also to be noted that landscaping will be installed to buffer the parking lot from nearby residential uses, all as shown on the plan.

Lastly, special hearing relief is requested, in the alternative, to support a finding that Strawberry Alley is a nonconforming use. Having granted the variance for the existing portion of Strawberry Alley, as set forth above, special hearing relief is not necessary. The existing width of Strawberry Alley is legitimized by the grant of the variance. Thus, the Petition for Special Hearing, in this respect, will be dismissed, as moot.

Lastly, it is to be noted that the subject site is within the Reisterstown National Register Historic District. In view of this designation, the Office of Planning has asked to review and approve the elevation drawings of the proposed addition to ensure compatibility with the existing structure and the character of the neighborhood. I believe this to be an appropriate restriction and will impose same as a condition precedent upon the grant of the relief requested.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 18<sup>th</sup> day of October, 1996 that, pursuant to the Petition for Special Hearing, approval for business parking in a residential zone in accordance with Section 409.8.B. of the BCZR, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B01.1.B.1.e(5) of the BCZR to permit a reduction of the RTA 50 ft. buffer and 75 ft. setback to as little as a 0 ft. buffer and 0 ft. setback, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.4.A of the BCZR to permit the use of Strawberry Alley (12.3 ft. +/- in width) as a driveway for 2-way traffic movements, in lieu of the 20 ft. required, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that continuance of an existing nonconforming use to permit the use of Strawberry Alley, 12.3 ft. (+/-) wide as a driveway for two-way traffic movements, in lieu of the 20 ft., as required by Section 409.4.A, be and is hereby DISMISSED AS MOOT, subject, however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall submit to the Office of Planning the elevation drawings of the proposed addition to ensure compatibility with the existing structure in a

ORDER RECEIVED FOR FILING

Date

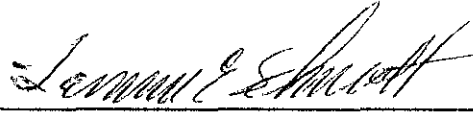
By

MICROFILMED

manner consistent with the Reisterstown  
National Register of Historic District.

3. The Petitioners shall provide landscap-  
ing as shown on the site plan.

4. When applying for a building permit,  
the site plan filed must reference this case  
and set forth and address the restrictions  
of this Order.



LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

LES:man

ORDER RECEIVED FOR FILING

Date

By

10/18/96

M. G. H. H.

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

October 16, 1996

Mr. James A. Eickhoff  
Mr. Harold D. Rowe  
310 Main Street  
Reisterstown, Maryland 21136

RE: Petitions for Special Hearing and Variance  
Property: 310 Main Street, Reisterstown  
Case No. 97-100-SPHA

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Variance have been granted.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".  
Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
att.

c: Mr. Burton C. English, Jr., Farrand and English, Inc.  
1029 North Calvert St., Baltimore, Maryland 21202

MICROFILMED





# Petition for Variance

97-100-SPHA

## to the Zoning Commissioner of Baltimore County

for the property located at

310 Main Street, Reisterstown

which is presently zoned

DR 3.5/BL

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B01.1B.1e.(5) to permit a reduction of the Residential Transition Area (RTA) 50-foot buffer and 75-foot setback to as little as a 0-foot buffer and 0-foot setback; and, if required, Section 409.4.A to permit the use of Strawberry Alley, 12.3'± wide, as a driveway for two-way traffic movements in lieu of the 20 feet width required. (See Special Hearing)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Attached

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

N/A

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): 310 Main St.

Co-Owners  
Strawberry Alley

James A. & Jane S. Eickhoff Erik Ewertz

(Type or Print Name)

Signature

Signature

Harold D. & Brenda E. Rowe Marjorie Ewertz

(Type or Print Name)

Signature

Signature

310 Main Street (410) 833-5515

Address

Phone No

Reisterstown MD 21136

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Burton C. English, Jr.  
Farrand & English, Inc.

Name

1029 North Calvert Street

Baltimore, MD 21202 (410) 545-5001

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE



Printed with Soybean Ink  
on Recycled Paper

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100





# Petition for Special Hearing

97-100-SPHA

to the Zoning Commissioner of Baltimore County

for the property located at

310 Main Street, Reisterstown

which is presently zoned DR 3.5/BL

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Business Parking in a Residential Zone in accordance with Section 409.8B, and to continue an existing non-conforming use to permit the use of Strawberry Alley, 12.3'+ wide, as a driveway for two-way traffic movements in lieu of the 20 feet width required by Section 409.4.A

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

N/A  
(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Legal Owner(s)

James A. & Jane S. Eickhoff  
(Type or Print Name)

Signature

Harold D. & Brenda E. Rowe  
(Type or Print Name)

Signature

310 Main Street (410) 833-5515  
Address Phone No

Reisterstown MD 21136  
City State Zipcode

Name, Address and phone number of representative to be contacted  
Burton C. English, Jr.

Farrand & English, Inc.

Name

1029 North Calvert Street (410) 545-5001  
Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_ DATE \_\_\_\_\_

100

97-100-SPHA

Dr. James A. Eickhoff, O.D. and Dr. Harold D. Rowe, O.D. have maintained medical offices at 310 Main Street since ca. 1986. The doctors would like to expand their practice by constructing a 30' x 30' addition to their existing office structure. The proposed addition would be constructed wholly within the BL zoned portion of their property. Because the property is split-zoned BL/D.R. 3.5, and because of the narrow dimensions of the property, a portion of the required off-street parking for the facility must be located in the residentially zoned portion of the property. A Petition for Special Hearing to permit Business parking in a residential zone in accordance with Section 409.8.B. is being filed concurrently with this Petition for Variance.

The Department of Permits and Development Management has determined that a Residential Transition Area is created on the site by the adjacent residentially zoned portion of Parcel 671. (See attached letter dated February 16, 1996.) Strict adherence to the RTA requirements would preclude off-street parking on any portion of the D.R. 3.5 zoning of the subject property and would make it impossible for the doctors to expand their business. It should be noted that the adjacent properties on both sides of the subject property are being used for a combination commercial/rental residential use, and that, given the character of the neighborhood, it is unlikely that a residence will ever be constructed on the D.R. zoned portion of the adjacent parcel. It is our opinion that location of business parking within the RTA would not be detrimental to the surrounding community and therefore are requesting relief in the form of a variance to reduce the Residential Transition Area 50-foot buffer and 75-foot setback to permit parking as shown on the accompanying plat.

Access to the existing off-street parking for the medical offices in the rear of the property is via Strawberry Alley, an unimproved 12.5'± alley which was paved about 1971 by the property owners. In addition, the alley provides access to an existing garage and parking area at the rear of 316 Main Street. There is no other access to the rear of these properties. We are requesting a continuance of the existing nonconforming use of Strawberry Alley, as now paved, as a driveway for two-way movements in lieu of the 20' width required by the Baltimore Zoning Regulations. The owners of 316 Main Street, Erik and Majorie Ewertz, have joined this Petition as having equal rights to ownership and access over the alley, for the express purpose of continuing the use of Strawberry Alley as a driveway.

**97-100-SPHA**

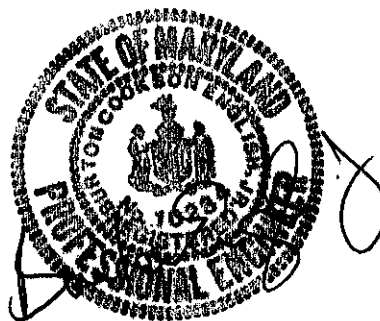
**ZONING DESCRIPTION  
310 MAIN STREET**

(Not to be used for Property Location)

Beginning at a point on the west side of Reisterstown Road which is 66' wide at the distance of 215'± south of the centerline of Bond Avenue which is 40' wide. Thence the following courses and distances:

South 06° 30' East, 12.3 feet;  
South 84° 11' 40" West, 330.00 feet;  
North 06° 30' West, 12.3 feet;  
North 06° 30' West, 41.25 feet;  
North 84° 09' 10" East, 330.00 feet;  
South 06° 30' East, 41.50 feet to the place of beginning,

as recorded in Deed Liber 7251, Folio 565, also known as 310 Main Street, and including for the purposes of this petition the bed of Strawberry Alley, unimproved, containing 0.41 acres±, saving and excepting that portion of the property known as 310 Main Street which is Zoned BL. Located in the Fourth Election District.



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97-100

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

District 4th Date of Posting 9/22/96

Posted for: CASE: 97-100 SPHA

Petitioner: JAMES EICKHOFF, ETAL

Location of property: #310 MAIN STREET

Location of Sign: #310, MAIN STREET

Remarks: Patricia O'Keefe Date of return: MICROFILMED

Posted by: Patricia O'Keefe

Number of Signs: 1



**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein, at Room 106 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: 89-108-SPTA

Item: 81D  
340 West Street

WMS Residential, Area 215

Special Board Hearing  
at 11:00 a.m. on Tuesday, September 19, 1994

at Courthouse

Legal Counsel:  
James A. Eckhoff, Esq., S  
Eckhoff, Harold D. Rowe, and  
Bernd E. Rowe

Special Hearing to review business parking in a residential zone. Variance to permit reduction of the Restricted Transit Area (RTA) 50-foot buffer and 75 foot setback to as little as zero foot buffer setback and if required, to permit the use of Strawberry Alley as a driveway for two way traffic movements in lieu of the 20 foot width required.  
Hearing: Tuesday, October 4, 1994 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations. Please Call 887-3353.  
(2) For information concerning the file and/or hearing, Please Call 887-3391.

9/19/94 Sept. 19

C83743

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 9-19, 1994

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9-19, 1994

THE JEFFERSONIAN,

*A. H. Enid*  
LEGAL AD. - TOWSON

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No. 97-100 024829

from 100 AMOUNT \$ 570.00

j. FARNEX CSPT CSPT

CSPA <sup>2</sup> Signs

[illegible]

**VALIDATION OR SIGNATURE OF CASHIER**  
**LOW - CUSTOMER**

TO: PUTUXENT PUBLISHING COMPANY  
September 19, 1996 Issue - Jeffersonian

Please forward billing to:

Burton C. English, Jr.  
Farrand & English, Inc.  
1029 N. Calvert Street  
Baltimore, Maryland 21202  
545-5001

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### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-100-SPHA (Item 100)  
310 Main Street  
W/S Reisterstown Road, 215' S of c/l Bond Avenue  
4th Election District - 3rd Councilmanic  
Legal Owner(s): James A. Eickhoff, Jane S. Eickhoff, Harold D. Rowe, and Brenda E. Rowe

Special Hearing to approve buisness parking in a residential zone.  
Variance to permit a reduction of the Residential Transit Area (RTA) 50 foot buffer and 75 foot setback to as little as zero foot buffer setback and, if required, to permit the use of Strawberry Alley as a driveway for two way traffic movements in lieu of the 20 feet width required.

HEARING: TUESDAY, OCTOBER 8, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 11, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-100-SPHA (Item 100)  
310 Main Street  
W/S Reisterstown Road, 215' S of c/l Bond Avenue  
4th Election District - 3rd Councilmanic  
Legal Owner(s): James A. Eickhoff, Jane S. Eickhoff, Harold D. Rowe, and Brenda E. Rowe

Special Hearing to approve buisness parking in a residential zone.  
Variance to permit a reduction of the Residential Transit Area (RTA) 50 foot buffer and 75 foot setback to as little as zero foot buffer setback and, if required, to permit the use of Strawberry Alley as a driveway for two way traffic movements in lieu of the 20 feet width required.

HEARING: TUESDAY, OCTOBER 8, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: James A. Eickhoff, et al  
Burton C. English, Jr.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.







Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

October 2, 1996

Mr. and Mrs. James A. Eickhoff &  
Mr. and Mrs. Harold D. Rowe  
310 Main Street  
Reisterstown, MD 21136

RE: Item No.: 100  
Case No.: 97-100-SPHA  
Petitioner: James Eickhoff, et al

Dear Mr. and Mrs. Eickhoff and Mr. and Mrs. Rowe:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 30, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a faint, larger signature.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

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B A L T I M O R E   C O U N T Y,   M A R Y L A N D

I N T E R O F F I C E   C O R R E S P O N D E N C E

TO:        Arnold Jablon, Director  
           Department of Permits & Development  
           Management

Date:    Sept. 19, 1996

FROM:      Robert W. Bowling, Chief  
           Development Plans Review Division

SUBJECT:   Zoning Advisory Committee Meeting  
           for September 16, 1996  
           Item No. 100

           The Development Plans Review Division has reviewed the subject zoning item. A Schematic Landscape Plan must be submitted. The emphasis is the R.T.A. and Class A buffers and the Reisterstown Road streetscape.

RWB:HJO:jrb

cc:    File

ZONE26C

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: September 17, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 310 Main Street

INFORMATION:

Item Number: 100

Petitioner: \_\_\_\_\_

Property Size: \_\_\_\_\_

Zoning: DR-3.5 & BL

Requested Action: Variance/Special Hearing

Hearing Date: 10 / 8 /96

SUMMARY OF RECOMMENDATIONS:

The Planning Office does not oppose the applicant's request. Since the property is located within the Reisterstown National Register Historic District, this office, in consultation with the Landmarks Preservation Commission, requests the opportunity to review and approve architectural elevation drawings for the proposed addition prior to the issuance of a building permit.

Staff encourages the property owners to meet with the Landmarks Preservation Commission at their next scheduled on October 10, 1996. Tim Dugan can be reached at 887-3495 if additional information is required regarding the meeting.

Prepared by: Jeffrey W. Law

Division Chief: Carol L. Kerns

AFK:JL

MICROFILM



**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

9-13-96

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 100 (CAM)

Dear Ms. Eubanks:

16 This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance ~~is~~ onto MD/BS #140 ~~are~~ acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

*for* Bob Small  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS

NOTE: EXISTING ENTRANCE WILL BE RE-CONSTRUCTED AS PART OF THE REIMBROSDOWN RD. STREETSCAPE PROJECT, BY SHA.

Bob Small  
SHA 9-13-96

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 09/19/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 09, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 94, 95, 96, 97, 99, 100,  
101 and 102.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



BALTIMORE COUNTY PERSONNEL  
RULES AND REGULATIONS  
RULE 24 OTHER LEAVES

REGULATION 24.03  
(Continued)

- B. Every application form for such leave shall contain a statement by the employee, affirmed by his supervisor, setting forth the details of the accident or illness and supported by the certificate of a licensed physician setting forth the nature and extent of the injury or illness and the probable period of disability.
- C. Every leave granted under this regulation shall be recorded on the employee's leave record card but shall not be charged to any other type of leave.
- D. Only exempt employees as defined by Section 801(1)-(8) of the Charter, part-time, probationary or Classified employees shall be eligible for such leave under the provisions of this regulation. Other employees shall be paid in accordance with the provisions of the State Workmen's Compensation Act only. (Bill No. 17, 1990)
- E. If incapacitated for the employee's regular assignment, the employee may be given other duties with the County Government for the period of recuperation. Unwillingness to accept such assignment as directed by the employee's department head or the County Administrative Officer will make the employee ineligible for leave under this regulation during the time involved. (Bill No. 17, 1990)

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Sep 9, 91

FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM

SUBJECT: Zoning Advisory Committee  
Meeting Date: Sep 9, 91

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

102

103

99

94

100

96

97

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED

# PETITION PROBLEMS

## **#100 --- CAM**

1. No review information on bottom of special hearing petition.

## **#103 --- JRA**

1. Need printed or typed title of person signing for contract purchaser.

9/5/96

MICROFILMED





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

February 16, 1996

**97-100-SPHA**

Burton English, Jr., P.E.  
Vice President  
Farrand & English  
416 Lyman Avenue  
Baltimore, MD 21212

RE: Zoning Verification  
310 Main Street  
4th Election District

Dear Mr. English:

Thank you for your letter of February 5, 1996 to Arnold Jablon, Director of Permits and Development Management. This correspondence has been referred to me for reply.

Please be advised that the proposed parking lot in the D.R.-5.5 zone is subject to the RTA requirements. Parcel 671 can support a 20-foot by 30-foot buildable area, if the front orientation is shifted towards Reisterstown Road. All of the required setbacks (25-foot front, 10-foot sides, and 30-foot rear) can be met if the dwelling is re-oriented. Also, all new parking areas, including driveways, must meet the current requirements.

All of the RTA and parking deficiencies can be approved via a zoning variance. It is recommended that you apply for a special hearing in lieu of a use permit for the parking since a variance is required. Both the special hearing and variance can be applied for within one hearing. Enclosed, please find copies of the petition forms and a zoning hearing checklist.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at (410) 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "M. J. Kellman".

Mitchell J. Kellman  
Planner II  
Zoning Review

Enclosures

**MICROFILMED**



Printed with Soybean Ink  
on Recycled Paper

100

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
PETITION FOR VARIANCE \*  
310 Main Street, W/S Reisterstown Road, \* ZONING COMMISSIONER  
215' S of c/l Bond Avenue \*  
4th Election District, 3rd Councilmanic \* OF BALTIMORE COUNTY  
  
James & Jane Eickhoff/Harold & Brenda Rowe\* CASE NO. 97-100-SPHA  
Petitioners  
\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5<sup>th</sup> day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Burton C. English, Jr., Ferrand & English, Inc., 1029 N. Calvert Street, Baltimore, MD 21202, representative for Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Harold D. Rowe

310 Main St. Reisterstown, MD. 21136

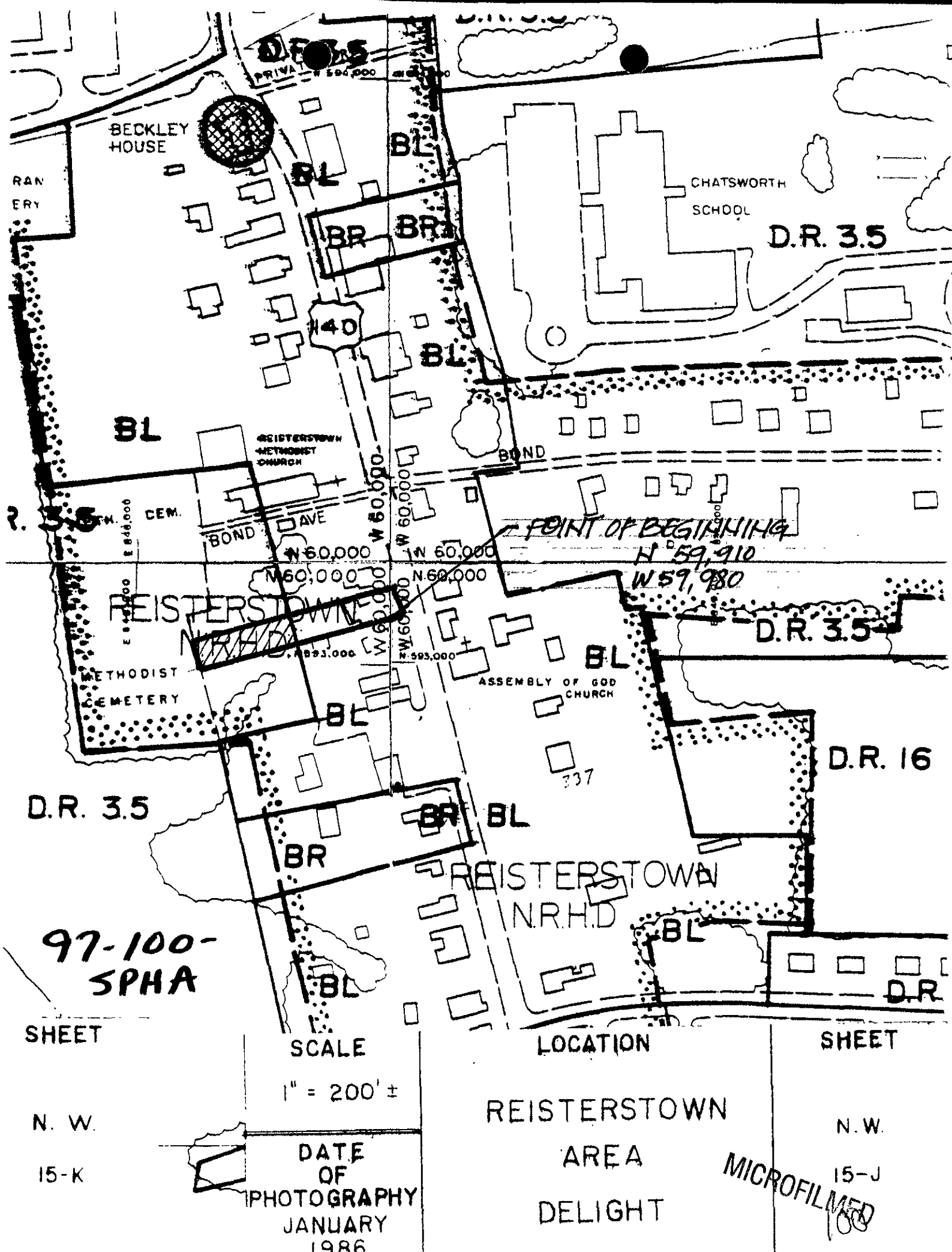
JAMES A. EICKHOFF

310 MAIN ST. Reisterstown, Md 21136

Burton English

1029 North Calvert St. Balt. 21202

MICROFILMED



**ZONING NOTICE**

Case # 97-100-SPHA

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD.

PLACE: 1004 E. 60 COURT

TIME & DATE: TUES, OCT 8, 1996 AT 11:00 A.M.

SPECIAL HEARING TO APPROVE BLT USE PARKING IN A RESIDENTIAL ZONE

VARIANCE TO PERMIT A REDUCTION OF THE RESIDENTIAL FRONT YARD SETBACK 30 FOOT MINIMUM TO 10 FEET AS SHOWN ON THE BLT MAP. IF THE VARIANCE IS GRANTED, THE SETBACK SHALL BE 10 FEET. THE SETBACK SHALL BE 10 FEET. THE SETBACK SHALL BE 10 FEET.

NO OTHERS ARE TAKEN ANY OTHER MEASURES

310 Main St  
(Reisterstown R.)



# ZONING NOTICE

Case # 197-100-SHA

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD.

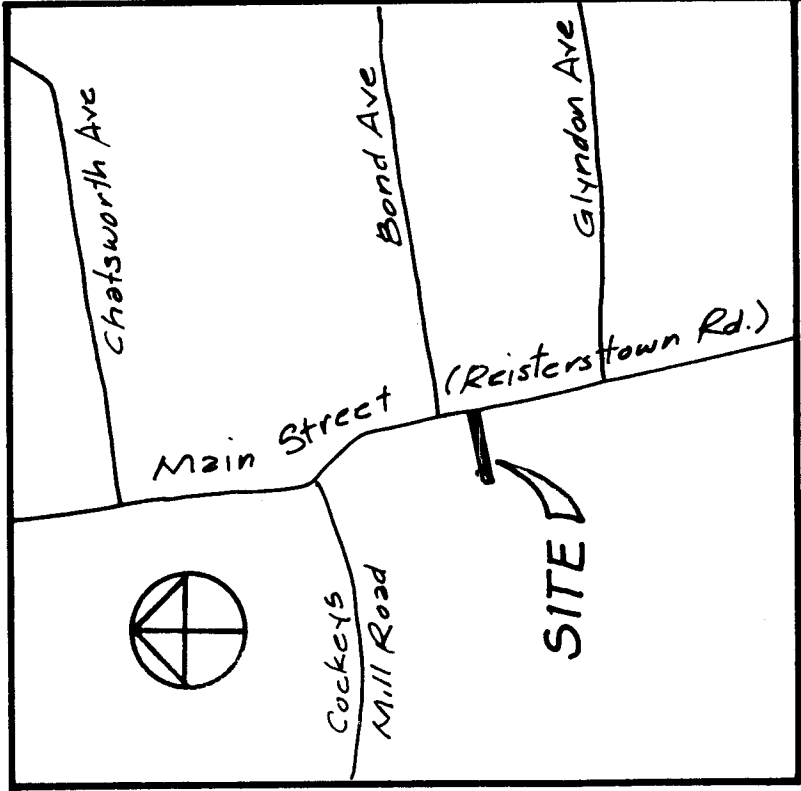
PLACE: ROOM 18 OLD COURTHOUSE

TIME & DATE: TUES, OCT 8 1996 AT 11:00 A.M.

SPECIAL HEARING  
TO APPROVE BUSINESS PARKING IN A RESIDENTIAL ZONE

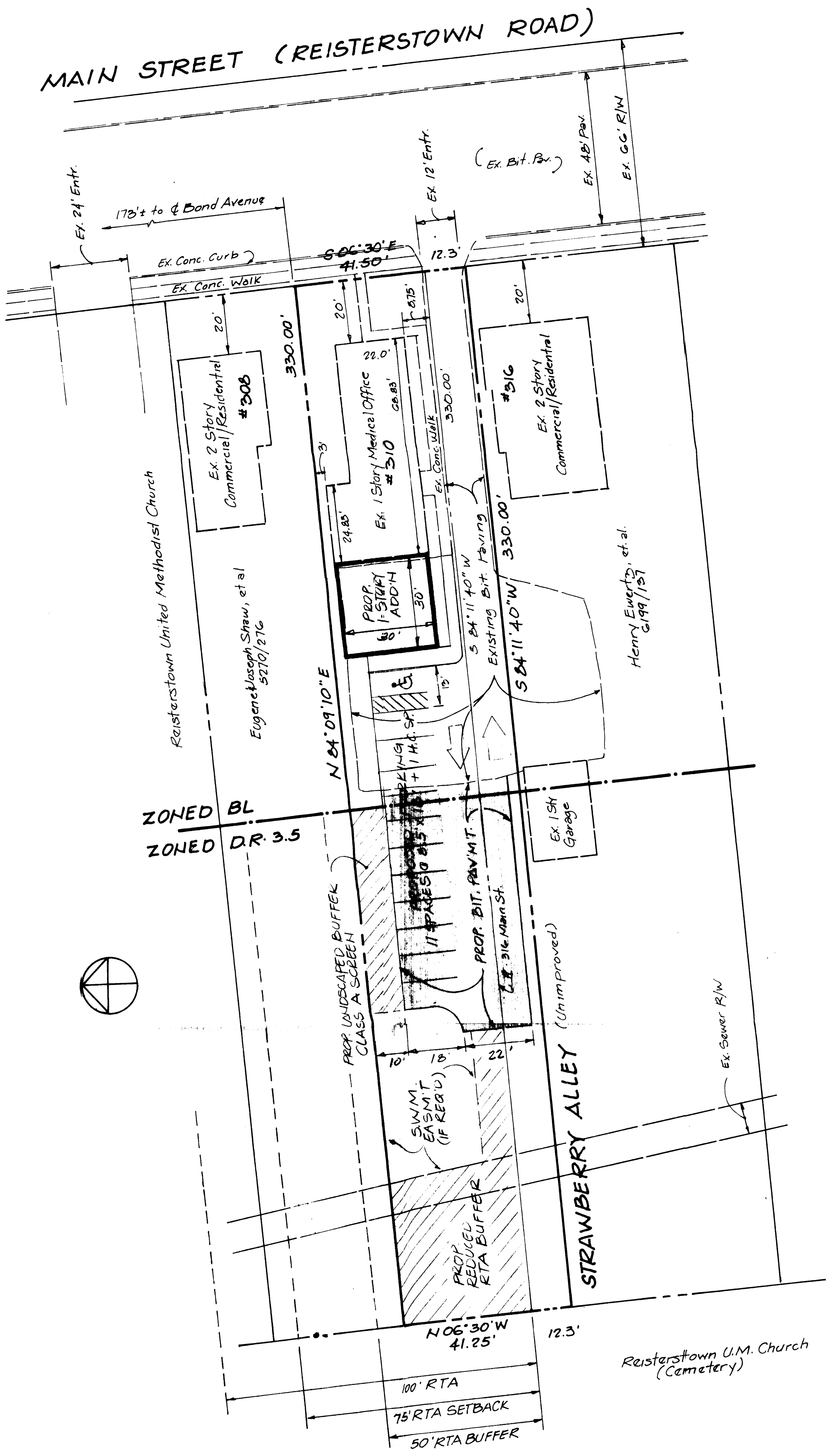
VARIANCE  
TO PERMIT A REDUCTION OF THE REQUIRED ALLEYSIDE SETBACK  
FROM 20 FEET TO 15 FEET AND TO ADJUST SETBACK TO 15 FEET TO  
LEND STREET FRONT SETBACK AND, IF REQUIRED TO PERMIT THE  
USE OF STAIRWELL ALLEY AS A DRIVEWAY FOR TWO AND FOUR  
UNITS IN A ROW OF THE 20 FOOT WIDTH REQUIRED

FOR MORE INFORMATION, CONTACT THE ZONING COMMISSIONER



VICINITY MAP

Scale 1" = 1000'



PLAN

Scale 1" = 20'

Property Address	310 Main Street
Owner	James A. and Jane S. Eickhoff and Harold D. and Brenda E. Rowe 310 Main Street Reisterstown, Maryland 21136
Net Site Area	0.313 acres 13,635 s.f.
Gross Site Area	0.342 acres 14,880 s.f.
Election District	4-C3
Tax Map	48, Parcel 353
Tax Account	0419027231
Zoning Map	NW 15-JK
Previous Commercial Permits	ca. 1971
Existing Use	Medical Office
Proposed Use	Medical Office
Floor Area Ratio	Maximum Permitted Floor Area Ratio - 3.0 Prop. Gross Floor Area - 2,615 s.f. Floor Area Ratio - 2,613 / 13,635 = 0.19
Off-Street Parking	Requirement - 4.5 spaces per 1,000 s.f. gross floor area (2,613 / 1,000) x 4.5 = 12 Spaces Spaces Provided - 12 (including 1 H.C. space)

All signs will conform to Section 413 of the Baltimore County Zoning Regulations

All public utilities are available to the site.

There are no streams, water courses or floodplains on the site.

Parking areas shall be surfaced with bituminous concrete. All parking spaces shall be marked with painted striping maintained so as to remain visible.

Off-Street Parking located in the D.R. 3.5 zoned portion of the site shall be in conformance with the requirements of Section 409.6.B.2. of the Baltimore County Zoning Regulations.

Parking will be provided for passenger vehicles only.

Hours of use shall be normal business hours of the medical office - 8:00 a.m. to 5:30 p.m.

Lighting shall be directed/reflected away from adjacent residentially zoned properties and streets.

97-100-SPHA

MICROFILMED

FARRAND AND ENGLISH Inc.  
1029 NORTH CALVERT STREET  
BALTIMORE, MARYLAND 21202-3823  
TEL: (410) 542-5001  
FAX: (410) 587-3431

DRAWN BY: 122 E.  
CHECKED BY:

PLAN TO ACCOMPANY  
VARIANCE AND SPECIAL HEARING  
310 MAIN STREET

PROJECT No.	95-26
SCALE:	As Shown
DATE:	7-11-90
LAST REV.	





# Petition for Variance

97-100-SPHA  
to the Zoning Commissioner of Baltimore County

for the property located at 310 Main Street, Reisterstown  
which is presently zoned DR 3.5/BL

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1301.1B.1e.(5) to permit a reduction of the Residential Transition Area (RTA) 50-foot buffer and 75-foot setback to as little as a 0-foot buffer and 0-foot setback; and, if required, Section 409.4.A to permit the use of Strawberry Alley, 12.3' wide, as a driveway for two-way traffic movements in lieu of the 20 foot width required. (See Special Hearing)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

See Attached

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Correct Purchaser/Lender:

N/A

Signature

Address

City State Zipcode

Agency for Petitioner:

Signature

Address

City State Zipcode

Signature

Address

City State Zipcode

Signature

Printed with Soy-based Ink on Recycled Paper

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): 310 Main St. Co-Owners Strawberry Alley

James A. & Jane S. Eickhoff Erik Ewertz

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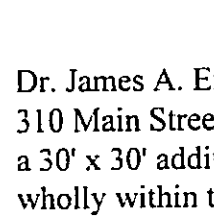
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BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM  
FROM: Arnold F. "Pat" Keller, III, Director, OP  
SUBJECT: 310 Main Street

DATE: September 17, 1996

INFORMATION:  
Item Number: 100  
Petitioner:  
Property Size:  
Zoning: DR-3.5 & BL  
Requested Action: Variance/Special Hearing  
Hearing Date: 10 / 8 / 96

SUMMARY OF RECOMMENDATIONS:

The Planning Office does not oppose the applicant's request. Since the property is located within the Reisterstown National Register Historic District, this office, in consultation with the Landmarks Preservation Commission, requests the opportunity to review and approve architectural elevation drawings for the proposed addition prior to the issuance of a building permit.

Staff encourages the property owners to meet with the Landmarks Preservation Commission at their next scheduled on October 10, 1996. Tim Dugan can be reached at 887-3495 if additional information is required regarding the meeting.

Prepared by: *Jeffrey W. Lax*

Division Chief: *Caryl K. Kers*

AFK:JL



Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 100 (CAH)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance onto MD 140 is acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS

NOTE: EXISTING ENTRANCE WILL BE RE-CONSTRUCTED AS PART OF THE REISTERSTOWN RD. STREETSCAPE PROJECT, BY SHA.

*Bob Small*  
SHA 9-13-96

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street - Baltimore, Maryland 21202

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 09/19/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 09, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 94, 95, 96, 97, 99, 100, 101 and 102.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM  
FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM  
SUBJECT: Zoning Advisory Committee  
Meeting Date: *sep 9, 96*

DATE: *sep 9, 96*

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 102 163  
99 94  
100  
96  
97

RBS:sp

BRUCEZ/DEPRM/TXTSBP

PETITION PROBLEMS

#100 --- CAM

1. No review information on bottom of special hearing petition.

#103 --- JRA

1. Need printed or typed title of person signing for contract purchaser.

9/5/96



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

February 16, 1996

97-100-SPHA

Burton English, Jr., P.E.  
Vice President  
Ferrand & English  
416 Lyman Avenue  
Baltimore, MD 21212

RE: Zoning Verification  
310 Main Street  
4th Election District

Dear Mr. English:

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I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at (410) 887-3391.

Very truly yours,

*Mitchell J. Kellman*  
Mitchell J. Kellman  
Planner II  
Zoning Review

Enclosures

Printed with Soybean Ink on Recycled Paper

RE: PETITION FOR SPECIAL HEARING  
PETITION FOR VARIANCE  
310 Main Street, W/S Reisterstown Road,  
215' S of c/l Bond Avenue  
4th Election District, 3rd Councilmanic  
James & Jane Eickhoff/Harold & Brenda Rowe\*  
Petitioners

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

CASE NO. 97-100-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carol S. Demilio*  
CAROL S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
410 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

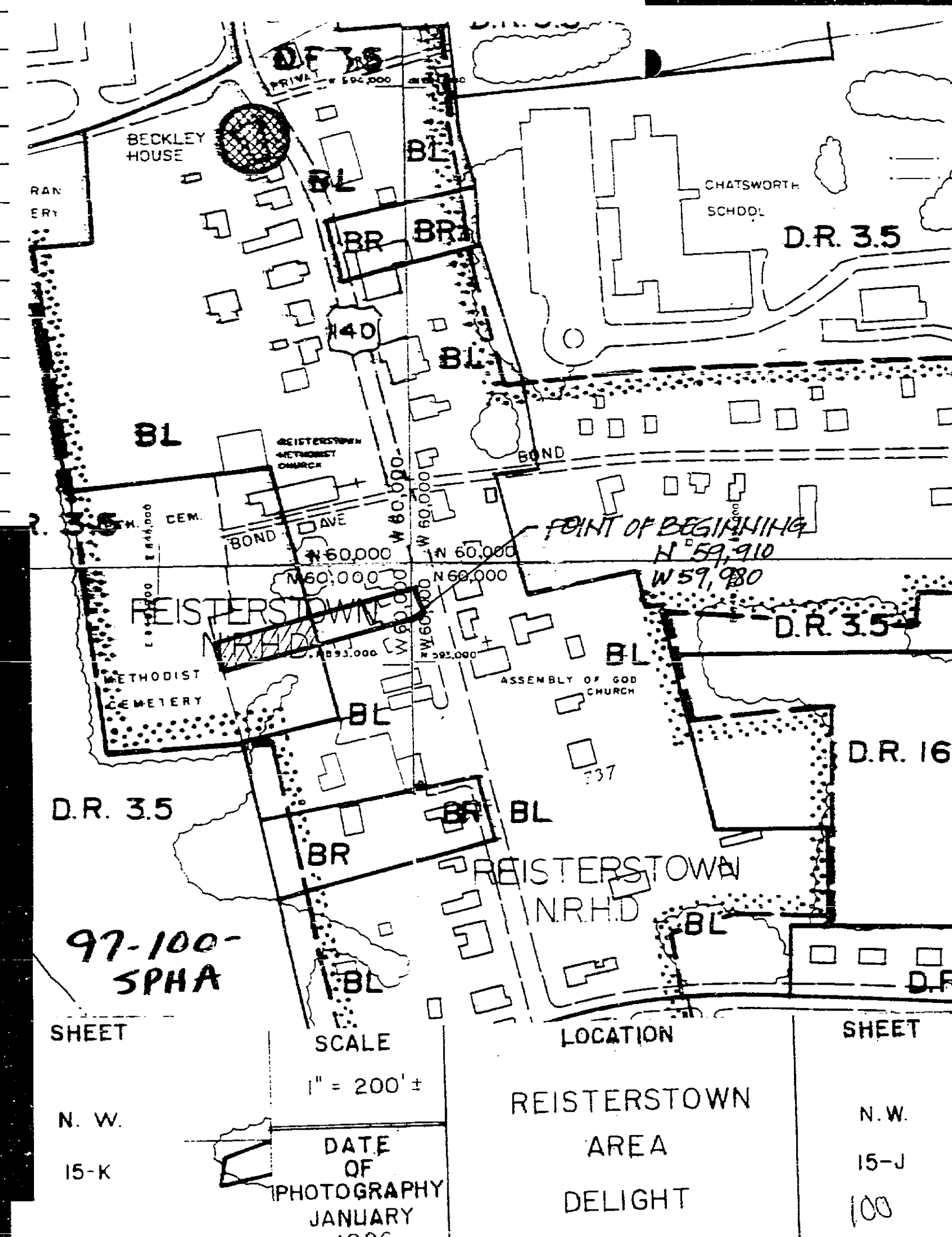
I HEREBY CERTIFY that on this *17th* day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Burton C. English, Jr., Ferrand & English, Inc., 1029 N. Calvert Street, Baltimore, MD 21202, representative for Petitioners.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Harold A. Rowe</i>	<i>310 Main St. Reisterstown, MD 21136</i>
<i>James A. Eickhoff</i>	<i>310 Main St. Reisterstown, MD 21136</i>
<i>Burton English</i>	<i>1029 North Calvert St. Baltimore 21202</i>



ZONING NOTICE

FOR THE PROPOSED  
REVISION OF THE  
ZONING MAP  
AND A DATE OF OCTOBER 1996  
THE ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
HAS ORDERED THAT A  
PUBLIC HEARING BE HELD BY  
THE ZONING COMMISSIONER  
ON THE MATTER OF  
THE PROPOSED  
REVISION OF THE  
ZONING MAP  
AND A DATE OF OCTOBER 1996  
AT THE BALTIMORE COUNTY  
COURTHOUSE, ROOM 47,  
410 WASHINGTON AVENUE,  
TOWSON, MD 21204  
ON THE MATTER OF  
THE PROPOSED  
REVISION OF THE  
ZONING MAP  
AND A DATE OF OCTOBER 1996





Lighting shall be directed/reflected away from adjacent residentially zoned properties and streets.

LAST REV.

97-100-SPHA